

THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

UNITED STATES OF AMERICA

Plaintiff,

VS.

4.76 ACRES OF LAND, MORE OR LESS,

SITUATE IN STARR COUNTY, STATE OF

TEXAS; AND ELOY GONZALEZ, ET UX,

Defendants.

## DECLARATION OF TAKING

CIVIL NO. **7:19-CV-001**

## DECLARATION OF TAKING

I, Loren Flossman, Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, under the authority delegated to me by the Act of Congress approved November 25, 2002, as Public Law 107-296, 116 Stat. 2311 and codified at 6 U.S.C. §§ 202, 251, and 557, which transferred certain authorities of the Attorney General to the Secretary of Homeland Security; and by DHS Delegation No. 7010.3(II)(B), which delegated land acquisition authority from the Secretary of Homeland Security to the Commissioner of U.S. Customs and Border Protection; and by CBP Delegation 18-200, which delegated land acquisition authority of \$5 million dollars or less to the Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol; do hereby declare that:

1. The authority for the acquisition of the estate in the property taken is set forth in Schedule A.

2. The public purpose for which the property is taken is set forth in Schedule B.
3. The legal description of the property taken is set forth in Schedule C.
4. A map or plat showing the land being taken is set forth in Schedule D.
5. The estate taken in the property is set forth in Schedule E.
6. The amount estimated to be just compensation for the taking, which sum I caused to be deposited in the Registry of the Court for the use and benefit of the persons entitled to it, is set forth in Schedule F. I am of the opinion that the ultimate award for the taking will be within the limit prescribed by law on the price to be paid for it.
7. The names and addresses of known parties who have or may claim an interest in the property are set forth in Schedule G.
8. The United States of America made best efforts to negotiate acquisition of the property interest sought prior to filing this condemnation action.

I, Loren Flossman, Acquisition Program Manager, Wall Program Management Office, U.S. Border Patrol Program Management Office Directorate, U.S. Border Patrol, U.S. Customs and Border Protection, Department of Homeland Security, state and declare that the property rights acquired are taken in the name of and for the use of the United States of America under the authority and for the public purpose stated herein.

IN WITNESS WHEREOF, the United States of America, by direction of the Secretary of the Department of Homeland Security and the Chief, U.S. Border Patrol, U.S. Customs and Border Protection, hereunto authorized, subscribes his name this 26 day of Dec, 2018 in the City of Washington, District of Columbia.

UNITED STATES OF AMERICA

BY: 

Loren Flossman  
Acquisition Program Manager  
Wall Program Management Office  
U.S. Border Patrol Program Management Office Directorate  
U.S. Border Patrol  
U.S. Customs and Border Protection  
Department of Homeland Security